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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,464	04/30/2001	Cristi Nesbitt Ullmann	AUS9-2001-0330-US1	3056

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International Business Machines Corporation
Intellectual Property Law Department
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EXAMINER

GOLINKOFF, JORDAN

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/845,464

Applicant(s)

ULLMANN ET AL.

Examiner

Jordan S Golinkoff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-8, 13-16, 18-20, 25-28, and 30-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kiraly et al. ("Kiraly," US006324511B1).

As per independent claim 1, Kiraly teaches a World Wide Web (Web) network system including a plurality of computer controlled display Web stations for receiving Web pages transmitted over the Web, a system for directing users having different reading skills through a reading of a Web page received at a Web station (column 2, lines 40-47) comprising: means for transmitting a Web page in a plurality of selectable readable modes (column 2, lines 12-18 and column 7, lines 24-28); and at least one of said readable modes including a movable indicator directing the user to read along the Web page in a predetermined orthogonal progressive pattern (column 6, lines 20-23).

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As per claim 2, which is dependent on claim 1, Kiraly teaches that the indicator is an element highlighting a sequential block of data (column 7, lines 3-5).

As per claim 3, which is dependent on claim 2, Kiraly teaches that the highlighted block of data is brighter than the other data on the Web page (column 7, lines 3-5, *highlighting items implies making them brighter*).

As per claim 4, which is dependent on claim 2, Kiraly teaches that the highlighted block of data has a color different from the color of the other data on the Web page (column 7, lines 21-24).

Claims 13-16 and 25-28 are similar in scope to claims 1-4, respectively, and are therefore rejected under similar rationale.

As per claim 6, which is dependent on claim 2, Kiraly teaches a means for selectively varying the dimensions of said indicator element (column 9, lines 34-37, *i.e. – different dimensions*).

As per claim 7, which is dependent on claim 2, Kiraly teaches a means for selectively varying the speed at which the indicator element progressively moves along said page (column 11, lines 8-12).

As per claim 8, which is dependent on claim 2, Kiraly teaches a means for selectively increasing the size of the data in said block relative to the remainder of data on said Web page (column 13, lines 50-60).

Claims 18-20 and 30-32 are similar in scope to claims 6-8, respectively, and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 10-12, 17, 22-24, 29, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiraly et al. ("Kiraly," US006324511B1).

As per claim 5, which is dependent on claim 2, the teachings of Kiraly in regards to claim 2 have been discussed above. Kiraly also teaches a means at said receiving Web station for selectively reading said received Web page in said moving indicator mode (column 9, lines 7-12). Kiraly does not explicitly disclose that the Web page is transmitted over the Web in a markup language comprising control tags enabling the Web page to be selectively read in said moving indicator mode.

However, Kiraly does suggest the use of different languages to implement selectively reading a web page in moving indicator mode (column 5, lines 62-65). Official notice is given that the use of a markup language, and the tags associated with this markup language, to encode documents and document properties is notoriously well-known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kiraly with a means to transmit a web page with markup language control tags that enable the selective reading and indication of information, with the motivation to allow an extensible and powerful means to create complex documents.

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Claims 17 and 29 are similar in scope to claim 5, and are therefore rejected under similar rationale.

As per claim 10, which is dependent on claim 5, Kiraly teaches a means at said receiving Web station for reading said Web page includes a Web browser (column 9, lines 7-12, *i.e.* – *Microsoft Internet Explorer*).

As per claim 11, which is dependent on claim 10, the teachings of Kiraly in regards to claim 10 have been discussed above. Kiraly does not disclose that the Web page is transmitted in Hypertext Markup Language.

However, Kiraly does suggest the use of different languages to implement selectively reading a web page in moving indicator mode (column 5, lines 62-65). Official notice is given that the use of a markup language, specifically HTML, and the use of the tags associated with this markup language, to encode documents and document properties is notoriously well-known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kiraly with a means to transmit a web page in Hypertext Markup Language with the motivation to allow an extensible and powerful means to create complex documents.

As per claim 12, which is dependent on claim 11, Kiraly teaches that the Web page includes text (column 9, lines 7-12); and said highlighted block of text is a grammatical unit (column 7, lines 23-27).

Claims 22-24 and 34-36 are similar in scope to claims 10-12, respectively, and are therefore rejected under similar rationale.

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5. Claims 9, 21, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiraly et al. ("Kiraly," US006324511B1) and further in view of Ryan et al. ("Ryan," US006216143B1).

As per claim 9, which is dependent on claim 4, the teachings of Kiraly in regards to claim 4 have been discussed above. Kiraly does not disclose a plurality of said movable indicators wherein each of the highlighted blocks of data within each of said plurality of indicators has a color respectively different from the blocks of data within the other indicators.

Ryan teaches a plurality of said movable indicators wherein each of the highlighted blocks of data within each of said plurality of indicators has a color respectively different from the blocks of data within the other indicators (column 2, lines 23-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kiraly with a means to display indicators in a plurality of colors different from other indicators, as taught by Ryan, with the motivation to make the process of interpreting a document easier for the reader (column 1, lines 38-41).

Claims 21 and 33 are similar in scope to claim 9 and are therefore rejected under similar rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ruberry et al. (US006356287B1) teach a movable indicator sequentially highlighting text in a document.

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Holland et al. (US006446096B1) teach sending a document over a network with a plurality of modes.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan S Golinkoff whose telephone number is 703-305-8771. The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jordan Golinkoff
Patent Examiner
February 25, 2004

Kristine Kincaid
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